

Serial No. 10/602,953

Page 6

### REMARKS

Claims 1-22 are pending in this application.

Applicants gratefully acknowledge the Office Action's indication of allowable subject matter in claims 10 and 18. However, for the reasons set forth below, Applicants respectfully assert that all of the claims are directed to allowable subject matter and that the application is in condition for allowance.

The Office Action rejects, under 35 U.S.C. § 103, claims 1-5, 9, 12-14, 17, 19, 21, and 22 over Constein (U.S. Patent No. 6,259,932) and Rydbeck (U.S. Patent No. 6,751,487), claims 6, 11, 15, and 20 over Constein, Rydbeck, and Kenagy (U.S. Patent No. 6,449,492), claim 7 over Constein, Rydbeck, and Riddiford (U.S. Patent No. 6,587,675), claims 8 and 16 over Constein, Rydbeck, and King (U.S. Patent Pub. No. 2004/0067770 A1). These rejections are respectfully traversed.

Applicants assert that Constein and Rydbeck do not disclose or suggest a housing having an exterior, the exterior including a first face side and a second face side, the second face side located on an opposite side of the housing from the first face side, a numeric keypad disposed on the first face side, and a text keypad disposed on the second face side, as recited in independent claim 1.

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the reference or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine the reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art references, when combined, must teach or suggest all of the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure (MPEP 2142). The prior art must suggest the desirability of the claimed invention (MPEP 2143.01).

Constein discloses a hand-held telephone with a computer module. The Office Action admits Constein does not teach a second keypad disposed on a second face side. Rydbeck discloses a cellular telephone that has a keypad that can be integral to a display (col. 5, lines 49-51). The Office Action alleges it would have been obvious to apply the teaching of Rydbeck to

Serial No. 10/602,953

Page 7

the teaching of Constein in order to configure pervasive computing devices such as smaller, miniaturized, or "pocket-sized" wireless telephones in a manner which allows for larger displays.

Applicants admit Rydbeck discloses a keypad that can be integral to a display.

Unfortunately, the combination of Constein and Rydbeck does not result in both a second display and a text keypad disposed on a second face side. In particular, Constein does not disclose a text keypad disposed on a second face side, such as the side along with the display. Rydbeck only discloses a keypad can be integral to a display. However, this does not amount to both a second display and a text keypad disposed on a second face side. In particular, this amounts to just a display. It does not disclose both the display and the keypad. Claim 1 expressly claims both a keypad and a separate display disposed on the second face side and such does not result from the combination.

Furthermore, the combination does not result in an actual text keypad disposed on a second face side. In particular, Rydbeck does not disclose an actual keypad. Rydbeck only discloses displaying a keypad. This is not the disclosure of an actual keypad disposed on a second face side because it is the disclosure of displaying a type of virtual keypad on a display. While the display may be a touch screen and the touch screen may be activated, this only results in using an image of a keypad on a touch screen, not the use of an actual keypad. Thus, the combination of Constein and Rydbeck does not result in an actual text keypad disposed on a second face side.

Additionally, Applicants assert the Office Action has not provided proper motivation to combine the references because the combination makes Constein inoperable for its intended use. In particular, Constein discloses a computer keyboard 14 separate from a display 13 (Fig. 2) so the device can be used as a usual personal computer (col. 6, lines 30-31 and 53-56). Thus, text can be viewed on the display 13 while it is typed on the keyboard 14. Combining the keypad 25 of Rydbeck with the computer module of Constein would prevent the device from being used as a usual personal computer because a user could not see the display while typing on a keypad that is on the display. Even if the display were a giant display to include both a keypad and additional display (which is not taught), the device would not longer operate as a usual personal computer and would also defeat the motivation alleged by the Office Action because it would no

Serial No. 10/602,953

Page 8

longer be "smaller, miniaturized, or 'pocket-sized.'" Also, the device would also defeat the motivation alleged by the Office Action because the resulting device would have an effectively smaller display because the display would be used for the keyboard, as opposed to keeping the keyboard separate and using the display for display purposes. Furthermore, the device would no longer provide a good viewing angle of a display on a "usual" personal computer because the display could no longer be tilted relative to the keypad. Thus, the alleged motivation is improper because the combination makes Constein inoperable for its intended use.

Thus, Constein and Rydbeck do not disclose or suggest a housing having an exterior, the exterior including a first face side and a second face side, the second face side located on an opposite side of the housing from the first face side, a numeric keypad disposed on the first face side, and a text keypad disposed on the second face side, as recited in independent claim 1.

Applicants also assert that Constein and Rydbeck do not disclose or suggest a unitary housing including a first face side and a second face side, the second face side facing an opposite direction from the first face side, a user interface including a numeric keypad disposed on the first face side, and a text input device disposed on the second face side, as recited in independent claim 12.

In particular, the Office Action has not provided proper motivation to combine the references because the combination makes Constein inoperable for its intended use. In particular, Constein discloses a computer keyboard 14 separate from a display 13 (Fig. 2) so the device can be used as a usual personal computer (col. 6, lines 30-31 and 53-56) and text can be viewed on the display 13 while it is typed on the keyboard 14. Combining the keypad 25 of Rydbeck with the computer module of Constein would prevent the device from being used as a usual personal computer because a user could not see the display while typing on a keypad that is on the display. Even if the display were a giant display to include both a keypad and additional display (which is not taught), not only would the device would not longer operate as a usual personal computer, but the resulting device would also defeat the motivation alleged by the Office Action because it would no longer be "smaller, miniaturized, or 'pocket-sized.'" Also, the device would also defeat the motivation alleged by the Office Action because the resulting device would have an effectively smaller display because the display would be used for the

Serial No. 10/602,953

Page 9

keyboard, as opposed to keeping the keyboard separate and using the display for display purposes. Furthermore, the device would no longer provide a good viewing angle of a display on a "usual" personal computer because the display could no longer be tilted relative to the keypad. Thus, the alleged motivation is improper because the combination makes Constein inoperable for its intended use.

Applicants additionally assert that Constein and Rydbeck do not disclose or suggest a candy-bar style housing having a first face side and a second face side, the second face side on an opposite side of the housing from the first face side, means for inputting numbers coupled to the first face side, and means for inputting text coupled to the second face side, as recited in independent claim 21.

Both Constein and Rydbeck clearly disclose flip-type devices. In particular, Rydbeck discloses a flip member 30 in all of the disclosed embodiments (Figs. 1 and 2 and col. 3, line 30). Additionally, Constein discloses two members 1 and 2 that are movably connected by means of a hinge (Figs. 1 and 2 and col. 6, lines 18-19), resulting in a flip-type device. Thus, Constein and Rydbeck do not disclose or suggest a candy-bar style housing because they both disclose flip-type devices.

Additionally, the Office Action has not provided proper motivation to combine the references because the combination makes Constein inoperable for its intended use. In particular, Constein discloses a computer keyboard 14 separate from a display 13 (Fig. 2) so the device can be used as a usual personal computer (col. 6, lines 30-31 and 53-56) and text can be viewed on the display 13 while it is typed on the keyboard 14. Combining the keypad 25 of Rydbeck with the computer module of Constein would prevent the device from being used as a usual personal computer because a user could not see the display while typing on a keypad that is on the display. Even if the display were a giant display to include both a keypad and additional display (which is not taught), not only would the device would not longer operate as a usual personal computer, but the resulting device would also defeat the motivation alleged by the Office Action because it would no longer be "smaller, miniaturized, or 'pocket-sized.'" Also, the device would also defeat the motivation alleged by the Office Action because the resulting device would have an effectively smaller display because the display would be used for the

Serial No. 10/602,953

Page 10

keyboard, as opposed to keeping the keyboard separate and using the display for display purposes. Furthermore, the device would no longer provide a good viewing angle of a display on a "usual" personal computer because the display could no longer be tilted relative to the keypad. Thus, the alleged motivation is improper because the combination makes Constein inoperable for its intended use.

Thus, Constein and Rydbeck do not disclose or suggest a candy-bar style housing having a first face side and a second face side, the second face side on an opposite side of the housing from the first face side, means for inputting numbers coupled to the first face side, and means for inputting text coupled to the second face side, as recited in independent claim 21.

Therefore, Applicants respectfully submit that independent claims 1, 12, and 21 define patentable subject matter. The remaining claims depend from the independent claims and therefore also define patentable subject matter. Accordingly, Applicants respectfully request the withdrawal of the rejection 35 U.S.C. § 103.

#### CONCLUSION

Based on the foregoing amendments and remarks, Applicants respectfully submit this application is in condition for allowance. Favorable consideration and prompt allowance of claims 1-22 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in better condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the telephone number listed below.

Serial No. 10/602,953  
Page 11

The Commissioner is hereby authorized to deduct any fees arising as a result of this Amendment or any other communication from or to credit any overpayments to Deposit Account No. 50-2117.

Respectfully submitted,



Matthew C. Loppnow  
Attorney for Applicant  
Registration No. 45,314

Dated: January 15, 2006

Phone No. (847) 523-2585  
Fax No. (847) 523-2350

Please send correspondence to:  
Motorola, Inc.  
Intellectual Property  
600 North U.S. Highway 45  
Libertyville, IL 60048